

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DAVID LEE POWELL,)	
)	
Plaintiff,)	
)	
v.)	2:05-CV-0544-T
)	
COOSA COUNTY JAIL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge filed herein on June 15, 2005 (Doc. 4), and upon an independent review of the file in this case, said Recommendation is hereby adopted, and it is the

ORDER, JUDGMENT and DECREE of the court that:

1. Plaintiff's claims against the Coosa County Jail and the Coosa County Sheriff's Department are dismissed prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
2. The Coosa County Jail and the Coosa County Sheriff's Department are dismissed as a party to this cause of action;
3. Plaintiff's claim(s) concerning events which occurred in October 2002 are dismissed pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) as the

claim(s) are not filed within the time prescribed by the applicable period of limitations; and

4. This case, with respect to the claims against the remaining defendants, are referred back to the United States Magistrate Judge for appropriate proceedings.

DONE, this the 3rd day of August, 2005.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE